

Notice of Allowability

Application No.

10/792,176

Examiner

Julie Ha

Applicant(s)

CHAIT ET AL.

Art Unit

1654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment After Non-final rejection filed on September 14, 2007.
2. ☒ The allowed claim(s) is/are 64-70.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

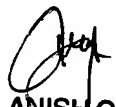
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ANISH GUPTA
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Kenneth A. Weber on October 4, 2007.
3. Claims 64-70 are allowed.
4. The application has been amended as follows:

Claim 64: A method for identifying a covalent modification of an amino acid residue in a polypeptide comprising:

(1) reacting the polypeptide having a covalent modification with a molar excess of a pair of reagents comprising phenylisothiocyanate (PITC) as a coupling reagent and ~~phenylisothiocyanate~~ phenylisocyanate (PIC) as a terminating reagent each of which forms a reaction product with a terminal amino acid residue of the polypeptide to be analyzed under a basic reaction condition; the reaction product generated between the terminating reagent and the terminal amino acid residue of the polypeptide being stable under all subsequent conditions;

(2) changing the reaction conditions to acidic conditions so that the PITC terminal amino acid separates from the remainder of the peptide, forming a reaction mixture comprising:

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- i. unreacted coupling and terminating reagents,
- ii. a first reaction product which is the reaction product between the polypeptide and the PIC terminating reagent; and
- iii. a newly formed polypeptide from which the terminal amino acid residue has been removed;

(3) repeating steps (1) and (2) any selected number of cycles thereby to form a final mixture which comprises:

- i. reaction product between the polypeptide and the PITC terminating reagent, and
- ii. a peptide ladder which is a series of adjacent reaction products which is formed by reaction between the terminating reagent and the terminal amino acid residue of a fraction of the newly generated polypeptide of each cycle; and

(4) identifying the covalent modification by determining the differences in molecular mass between adjacent members of the series of reaction products by mass spectroscopy, said difference being equal to the molecular mass of the amino acid residue cleaved from the polypeptide and from each subsequent formed polypeptide of the series, said differences coupled with the positions of said adjacent members in the mass spectrum being indicative of the identity and position of the covalent modification in the polypeptide.

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Conclusion

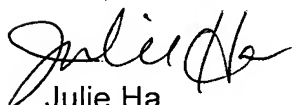
5. Claims 64-70 are allowed. The claimed invention is both novel and unobvious over the prior art of record.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Ha whose telephone number is 571-272-5982.

The examiner can normally be reached on Mon-Fri, 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cecilia Tsang can be reached on 571-272-0562. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Julie Ha
Patent Examiner
AU 1654

 10/11/07
ANISH GUPTA
PRIMARY EXAMINER